

From: Newman Alan-P20582
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 11:57am
Subject: Microsoft Settlement

DOJ,

I am a software engineer who has designed software products for commercial and defense companies, using every Microsoft operating system since version 1 of PC/DOS extensively, and have similar experience with older and newer desktop operating systems. For four years, I was a Microsoft "Partner" developing under a Non Disclosure Agreement to Microsoft tools to be used in conjunction with Microsoft Word. I had great concerns that the grossly unfair practices by Microsoft that I had personally witnessed, but was forbidden to discuss per the NDA, would not come out during the recently completed antitrust case. Primarily for that reason, I have read most of the transcripts and rulings published on the DOJ website (listed at http://www.usdoj.gov/atr/cases/ms_index.htm <http://www.usdoj.gov/atr/cases/ms_index.htm>). Surprisingly to me, most of my concerns regarding Microsoft unfair business practices were adequately expressed in the trial.

I was very pleased that in spite of what appeared to me as gross obstruction of justice by Microsoft exposed during the trial (unbelievable faulty memories, doctored video evidence of lab experiments, memos planted in the "wrong" hands, etc.) that Judge Jackson was able to clearly separate misconduct in court from the facts pertinent to the case, and found both his Findings of Fact and Findings of Law completely accurate to everything I know about the case. I assume that addressing such probably criminal behavior in court should and will be addressed separately.

I am now disgusted beyond words by the near total lack of appropriate punishment, deterrent, and victim compensation in the latest DOJ settlement with Microsoft. It seems to be less than a slap on the wrist to a company who I believe is a severe detriment to the software industry that I work in (non-competitively with Microsoft). I believe past and present Microsoft behavior is an excellent example of precisely what our antitrust laws were meant to protect the US economy and citizens and businesses from, but are failing terribly to do so with the current settlement offer.

Please do what you can to retract the current offer, and, at the very least, restore some semblance of deterrent to the settlement of this case.

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